

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW

KNOXVILLE·KNOX COUNTY

M P C
METROPOLITAN
P L A N N I N G
C O M M I S S I O N
T E N N E S S E E

Suite 403 • City County Building
4 0 0 M a i n S t r e e t
Knoxville, Tennessee 37902
8 6 5 • 2 1 5 • 2 5 0 0
F A X • 2 1 5 • 2 0 6 8
w w w • k n o x m p c • o r g

File Number: 5-G-05-UR

Related File Number:

Application Filed: 4/11/2005

Date of Revision:

Applicant: PAUL ANASTASIO - MICHAEL BRADY, INC.

Owner:

PROPERTY INFORMATION

General Location: Southeast side Washington Pike, southeast of Murphy Rd.

Other Parcel Info.:

Tax ID Number: 49 079

Jurisdiction: County

Size of Tract: 1.4 acres

Accessibility: Access is via Washington Pike, a minor arterial street with 30-40' of pavement width within 80' of right of way. The development will also have future access to Murphy Road, after it is extended along the southwest boundary of this site.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land

Surrounding Land Use:

Proposed Use: Convenience store with gasoline pumps

Density:

Sector Plan: Northeast County

Sector Plan Designation: Neighborhood Commercial

Growth Policy Plan: Urban Growth Area (Outside City Limits)

Neighborhood Context: This area is developed with primarily residential uses under A, RA and PR zoning. There are a few individual properties to the west that are zoned CA, OB and SC.

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 5904 Washington Pike

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: CN (Neighborhood Commercial)

Former Zoning:

Requested Zoning:

Previous Requests:

Extension of Zone:

History of Zoning: MPC approved a commercial sector plan designation and CN zoning on 2/13/03. (2-B-03-SP / 2-J-03-RZ)

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

Surveyor:

No. of Lots Proposed: No. of Lots Approved: 0

VariANCES Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

MPC ACTION AND DISPOSITION

Planner In Charge: Michael Brusseau

Staff Recomm. (Abbr.): APPROVE the development plan for a convenience store with gasoline pumps in the CN (Neighborhood Commercial) zoning district, subject to 5 conditions:

- Staff Recomm. (Full):**
1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
 2. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
 3. Connecting the development to sanitary sewer, as well as meeting other applicable requirements of the Knox County Health Department.
 4. Installing all landscaping, as shown on the revised (6/7/05) landscape plan, within six months of issuance of occupancy permits for the project, or posting a bond with the Knox County Department of Engineering and Public Works, to guarantee such installation.
 5. Installing a traffic signal in the south direction to serve traffic entering and exiting the proposed development, per requirements of the Knox County Department of Engineering and Public Works.

With the conditions noted above and with the approved BZA variances, this request meets the requirements for approval in the CN zone, as well as other criteria for approval of a use on review.

Comments: The applicant is proposing to construct a Weigel's Farm Stores convenience store with fueling station on the subject property, within the CN zoning district. The development plan shows a 3,780 square foot building (1,532 s.f. retail floor area) with 17 parking spaces and eight gasoline pumps. The applicant has applied for and been granted by the Knox County Board of Zoning Appeals eight different variances for the proposed signage, essentially waiving every requirement that reduces sign impact in the CN (Neighborhood Commercial) zone. A landscape plan is included which meets the landscaping requirements of the CN zone.

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTIES AND THE COMMUNITY AS A WHOLE

1. Public water and sewer utilities are available to serve the site.
2. Washington Pike has sufficient capacity to handle the additional traffic which will be generated by this development.
3. This request will have no impact on schools and minimal impact on adjacent properties.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. With the approved BZA variances regarding signage, the proposal meets all requirements of the CN zoning district, as well as other criteria for approval of a use on review.
2. The proposed use is consistent with the general standards for uses permitted on review: The proposed development is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The plans include appropriate landscaping and setbacks to minimize the impact to surrounding properties. The use should not significantly injure the value of adjacent property. The use will not draw substantial additional traffic through residential areas. No surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Northeast County Sector Plan proposes neighborhood commercial uses for this property, consistent with the zoning of the property and generally consistent with the proposal.
2. The site is located within the Urban Growth Area of Knoxville on the Knoxville-Knox County-Farragut

Growth Policy Plan.

MPC Action:

Approved

MPC Meeting Date: 6/9/2005

Details of MPC action:

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
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Summary of MPC action:

APPROVE the development plan for a convenience store with gasoline pumps in the CN (Neighborhood Commercial) zoning district, subject to 5 conditions:

Date of MPC Approval:

6/9/2005

Date of Denial:

Postponements: 5/12/2005

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Knox County Board of Zoning Appeals

Date of Legislative Action:

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case:

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: